GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - MA&UD Department - Guntur Municipal Corporation - Sri B.Satyanarayana, the then Deputy City Planner, GMC, Guntur District - Allegations on the irregular issue of TDR (Transferable Development rights) Bonds in Guntur Municipal Corporation - Departmental Proceedings under Rule-20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Charges framed - Enquiry conducted - Charges held proved - Imposing a penalty of "one annual grade increment without cumulative effect" - Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Vig.II.1) DEPARTMENT

G.O.RT.No. 232 **Dated: 17-05-2021.**
Read the following:-

1. From the Director General, G.A. (V&E) Dept., Vigilance Report No.26 (C.No.766/V&E/D1/2017), dated.29.05.2018.
2. G.O.Rt.No.1022 & 1024, Municipal Administration & Urban Development (Vig.II.1) Department, dated:31.10.2018.
3. WSDs from charged officer B.Satyanarayana, the then DCP, Guntur Municipal Corporation.
4. G.O.Rt.No.4, Municipal Administration & Urban Development (Vig.II.1) Department, dated:02.01.2020.
5. Inquiry Report from Sri V.Ram Kumar, Chief Planning Officer, GUDA., Kakinada, Lr.Roc.No.1893/2020/GUDA, dated.05.06.2020 received through the DTCP., A.P., Guntur vide Lr.Roc.No.4797/2018/V.Cell, dated.19.06.2020.
6. Govt. Memo.No.1477338/Vig.II/2018-3, Municipal Administration & Urban Development (Vig.II.1) Department, Dated:21.12.2020.
7. Written representations from B.Satyanarayana, the then DCP, Guntur Municipal Corporation, dated.28.12.2020

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O R D E R:

Whereas, it has been brought to the notice of the Government by the Director General, G.A. (V&E) Department that, certain allegations were leveled against Sri B.Satyanarayana, the then Deputy City Planner and other officials of Guntur Municipal Corporation, regarding irregular issue of TDR (Transferable Development rights) Bonds in Guntur Municipal Corporation. In the reference 1st read above, the Director General, G.A. (V&E) Department therefore recommended to initiate disciplinary proceedings against Sri B.Satyanarayana, the then Deputy City Planner and other officials of Guntur Municipal Corporation, Guntur District.

2. Whereas, in the reference 2nd read above, Government have initiated disciplinary proceedings against Sri B.Satyanarayana, the then Deputy City Planner, Guntur Municipal Corporation, duly framing the following articles of charges under Rule-20 of APCS (CCA) Rules, 1991 and directing him to submit his written statement of defence.

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ARTICLE -I:

That said Sri.B.Satyanarayana, Deputy City Planner, Municipal Corporation, Guntur had connived and issued TDR (Transferable Development Rights) Certificates to private persons against the Corporation Property without proper verification, thereby caused loss to the Guntur Municipal Corporation.

ARTICLE-II:

That the aforesaid officer, while functioning in the aforesaid post in the aforesaid office, had failed to discharge his legitimate duties with due care and diligence and thereby held responsible for the same.

3. Whereas, in the reference 3rd read above, the charged officer submitted his written statement of defence and requested to drop further action against him. Having not convinced with the explanation, Govt. have appointed Sri V.Ram Kumar, Chief Planning Officer, GUDA., Kakinada as an Enquiry Officer to inquire into the charges framed against Sri B.Satyanarayana, the then Deputy City Planner and other officials of Guntur Municipal Corporation, Guntur District vide reference 4th read above.

4. In the reference 5th read above, the Enquiry Officer has submitted enquiry report, wherein the Enquiry officer observed the following:

1. Sri B.Satyanarayana, being working as Deputy City Planner, GMC the delinquent Officer has to assist the City Planner in all the relevant Town Planning activities and planning matters. In view of the above analysis, the Article of Charge No.1 is not established. Hence, it is not proved.

2. it is observed that there are there are no evidences made available in the matter against the Charged Officer that he had issued TDR Certificates to private persons against the Corporation Property without proper verification, thereby caused loss to the GMC. Hence Article of Charge No.2 may also not established.

5. Government, have examined the enquiry report and observed the fact that it is the primary responsibility of the City Planner to identify and for protection of municipal lands and Government lands vested in the Corporation free from encroachment and he cannot escape even though he has multifarious functions. Therefore, the above said charges are treated as proved against the charged officer in disagreement to the findings of Inquiry Officer.

6. Accordingly, in the reference 6th read above, a copy of Enquiry Report together with the above disagreement factors was communicated to the Charged Officer Sri B.Satyanarayana, the then Deputy City Planner, Guntur Municipal

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Corporation, to offer his written representation in terms of Rule 21(2) of APCS(CCA) Rules, 1991. He has submitted his written representation on the findings of Inquiry Authority and disagreement factors duly stating that they have not issued TDR bonds; there is no record evidence available with GMC to defend that the property belongs to GMC. However, on consequent verification and based on complaint, the said TDR Bond was cancelled and also the GMC., Guntur reclaimed the alleged property by constructing compound wall and TDR Register is also maintained properly and there is no financial loss to the GMC and hence requested to drop further action against him, vide reference 7th read above.

7. Government have examined the written representation and observed that he denied the disagreement factors simply without any supported grounds. It is also observed that the GMC took the further course of action in cancelling of TDR Bonds and also took possession of the land under the control of GMC. Hence, his plea is not convincing and cannot be accepted.

8. After careful examination of the matter, Government hereby impose a penalty of "withholding of one Annual Grade Increment without cumulative effect against Sri B.Satyanarayana, the then Deputy City Planner, Guntur Municipal Corporation, in terms of Rule-9 of APCS(CCA) Rules, 1991.

9. The Director of Town and Country Planning, A.P, Guntur, shall take necessary action in the matter accordingly.

10. The receipt of the G.O., shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Y. SRILAKSHMI
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri B.Satyanarayana, the then Deputy City Planner, GMC,
Guntur District - **through** the DTCP., A.P., Guntur.
The Director of Town & Country Planning, A.P., Guntur.
Copy to:
The P.S. to M(MA&UD)
The APVC, 5th Block, A.P. Secretariat.
The General Administration (V&E) Department, A.P., Vijayawada.
The Municipal Commissioner, Guntur Municipal Corporation, Guntur District.
SF / SC.

// FORWARDED BY ORDER //

SECTION OFFICER.